

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT APPLICATION**

App./Confirm Nos.: 10/711,482 5481
Applicant: Geis et al.
Filing Date: September 21, 2004
Title: **SIGE HETEROJUNCTION BIPOLAR
TRANSISTOR (HBT) AND METHOD
OF FABRICATION**

Atty. Docket: BUR9-2004-0004-US1
Today's Date: January 11, 2007
Examiner: Paul A. Budd
Group Art Unit: 2815

Response to Official Action

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to a restriction requirement dated December 11, 2006, Applicants respectfully request consideration of the claims elected. No fee is due by virtue of this election. However, if the PTO decides that a fee is due, please charge Applicants' deposit account, 09-0456.

CERTIFICATE OF MAILING

I hereby certify that, on the date shown below, this correspondence is being:

EFS-WEB

☒ transmitted by EFS-Web to the Patent and Trademark Office.

Date: 01/11/2007

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Anthony J. Canale

Name

/Anthony J. Canale/

Signature

The Examiner indicated that restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-15, drawn to a semiconductor device, classified in class 257, sub-class 197.
- II. Claims 16-20, drawn to a method of making a semiconductor device, classified in class 438, sub-class 312.

Applicants elect the claims of Group I, without traverse, directed to a semiconductor device. Thus, the claims that are readable on the elected species and variations for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable include: claims 1-15.

Also, upon the allowance of a generic claim, Applicants wish to re-open consideration of claims to additional species and variations which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141.

The Examiner is urged to call the undersigned at the number listed below if, in the Examiner's opinion, such a phone conference would aid in furthering the prosecution of this application.

Respectfully Submitted,

For: Geiss et al.

By: /Anthony J. Canale/
Anthony J. Canale
Registration No. 51,526
Agent for Applicants
Phone: (802) 769-8782
Fax: (802) 769-8938
Email: acanale@us.ibm.com

IBM Corporation
Intellectual Property Law - Zip 972E
1000 River Street
Essex Junction, Vermont 05452